

4710. Adulteration of fava beans. U. S. * * * v. 210 Sacks * * * of Fava Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7158. I. S. No. 10528-1. S. No. C-420.)

On January 14, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 210 sacks, each containing 120 pounds, more or less, of fava beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on December 19, 1914, by Adolph Koshland, San Francisco, Cal., and transported from the State of California into the State of Illinois and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a decomposed vegetable substance, for the further reason that it consisted wholly of a decomposed vegetable substance, for the further reason that it consisted in part of a filthy vegetable substance, and for the further reason that it consisted wholly of a filthy vegetable substance.

On February 18, 1916, L. S. Nachman, claimant, Chicago, Ill., having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, but it appearing to the court that the article could be ground up for animal food without violation of the law, it was ordered by the court that the same should be surrendered and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned, among other things, that the article should be ground up to be used for animal food, under the supervision of the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*